

**CITY OF NEWPORT BEACH
PLANNING COMMISSION AGENDA**

**CITY COUNCIL CHAMBERS - 3300 NEWPORT BOULEVARD
THURSDAY, FEBRUARY 7, 2013
REGULAR MEETING – 5:00 p.m.**

MICHAEL TOERGE
Chair

BRADLEY HILLGREN
Vice Chair

FRED AMERI
Secretary

TIM BROWN
KORY KRAMER
JAY MYERS
LARRY TUCKER

Planning Commissioners are citizens of Newport Beach who volunteer to serve on the Planning Commission. They were appointed by the City Council by majority vote for 4-year terms. At the table in front are City staff members who are here to advise the Commission during the meeting. They are:

KIMBERLY BRANDT, Community Development Director

**BRENDA WISNESKI, Deputy Community
Development Director**

LEONIE MULVIHILL, Assistant City Attorney TONY BRINE, City Traffic Engineer

NOTICE TO THE PUBLIC

Regular meetings of the Planning Commission are held on the Thursdays preceding second and fourth Tuesdays of each month at 6:30 p.m. The agendas, minutes, and staff reports are available on the City's web site at: <http://www.newportbeachca.gov> and for public inspection in the Community Development Department, Planning Division located at 3300 Newport Boulevard, during normal business hours. If you have any questions or require copies of any of the staff reports or other documentation, please contact the Community Development Department, Planning Division staff at (949) 644-3200.

This Commission is subject to the Ralph M. Brown Act. Among other things, the Brown Act requires that the Commission's agenda be posted at least 72 hours in advance of each meeting and that the public be allowed to comment on agenda items before the Commission and items not on the agenda but are within the subject matter jurisdiction of the Commission. The Commission may limit public comments to a reasonable amount of time, generally three (3) minutes per person. All testimony given before the Planning Commission is recorded.

It is the intention of the City of Newport Beach to comply with the Americans with Disabilities Act (ADA) in all respects. If, as an attendee or a participant of this meeting, you will need special assistance beyond what is normally provided, the City of Newport Beach will attempt to accommodate you in every reasonable manner. Please contact Leilani Brown, City Clerk, at least 72 hours prior to the meeting to inform us of your particular needs and to determine if accommodation is feasible (949-644-3005 or lbrown@newportbeachca.gov).

APPEAL PERIOD: Use Permit, Variance, Site Plan Review, and Modification Permit applications do not become effective until 14 days following the date of approval, during which time an appeal may be filed with the City Clerk in accordance with the provisions of the Newport Beach Municipal Code. Tentative Tract Map, Tentative Parcel Map, Lot Merger, and Lot Line Adjustment applications do not become effective until 10 days following the date of approval, during which time an appeal may be filed with the City Clerk in accordance with the provisions of the Newport Beach Municipal Code. General Plan and Zoning Amendments are automatically forwarded to the City Council for final action.

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I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

IV. PUBLIC COMMENTS

Public comments are invited on non-agenda items generally considered to be within the subject matter jurisdiction of the Planning Commission. Speakers must limit comments to three (3) minutes. (Red light signifies when three (3) minutes are up; yellow light signifies that the speaker has one (1) minute left for summation.) Before speaking, please state your name for the record and print your name on the blue forms provided at the podium.

V. REQUEST FOR CONTINUANCES

VI. CONSENT ITEMS

ITEM NO. 1 MINUTES OF JANUARY 17, 2013

Recommended Action: Approve and file

VII. PUBLIC HEARING ITEMS

Speakers must limit comments to three (3) minutes on all items. (Red light signifies when three (3) minutes are up; yellow light signifies that the speaker has one (1) minute left for summation.) Before speaking, please state your name for the record and print your name on the blue forms provided at the podium.

If in the future, you wish to challenge in court any of the matters on this agenda for which a public hearing is to be conducted, you may be limited to raising only those issues, which you (or someone else) raised orally at the public hearing or in written correspondence received by the City at or before the hearing.

ITEM NO. 2 Mariner's Pointe (PA2010-114)

Site Location: 100 – 300 West Coast Highway

Summary:

A request to review proposed revisions to the approved building design, which include replacing stone veneer from a parking structure screen wall with a false commercial storefront for flower display, the installation of additional awnings, and reducing the height of a primary stairwell and elevator tower. Landscaping changes are also proposed.

CEQA Compliance:

A Mitigated Negative Declaration was previously adopted for the proposed project. No additional mitigation measures are required for the project.

Recommended Action:

1. Conduct public hearing; and
2. Adopt Resolution No. ____ finding the changes in the design to be in substantial conformance with the project design approved by Site Development Review No. SR2010-001 and Conditional Use Permit No. UP2010-024.

ITEM NO. 3 Uptown Newport (PA2011-134)
Site Location: 4311-4321 Jamboree Road, North side of Jamboree Rd. between Birch St. and Fairchild Rd.

Summary:

The redevelopment of a 25-acre office and industrial site with a mixed-use community consisting of up to 1,244 residential units, 11,500 square feet of neighborhood-serving retail space, and two 1-acre public parks. Residential product types would be for sale and rental with a mix of townhomes, and mid- and high-rise apartments and condominiums. Between 102 and 369 units would be made available as affordable housing depending upon the target income category (i.e. very-low, low or moderate income households). Most buildings would range between 30 and 75 feet in height with several residential towers up to 150 feet in height. Project approval requires a Planned Community Development Plan amendment and adoption, Tentative Tract Map, Traffic Study, Affordable Housing Implementation Plan, and Development Agreement.

CEQA Compliance:

Pursuant to the California Environmental Quality Act the City of Newport Beach has prepared Environmental Impact Report SCH No. 2010051094 to evaluate the environmental impacts resulting from the proposed project. The draft Final EIR has been prepared in accordance with the California Environmental Quality Act of 1970 (CEQA), as amended (Public Resources Code Section 21000 et seq.), and the State CEQA Guidelines for Implementation of CEQA (California Code of Regulations, Title 14, Section 15000 et seq.). Copies of the Environmental Impact Report and supporting documents are available for public review and inspection at the Planning Division or at the City of Newport Beach website at www.newportbeachca.gov/cegadocuments.

Recommended Action:

1. Conduct public hearing; and
2. Adopt Resolution No. ____ recommending the City Council take the following actions:
 - a. Certification of Environmental Impact Report No. ER2012-001 (SCH#2010051094); and
 - b. Approval of Planned Community Development Plan Amendment No. PD2011-003, Planned Community Development Plan Adoption No. PC2012-001, Traffic Study No. TS2012-005, Tentative Tract Map No. NT2012-002, Affordable Housing Implementation Plan No. AH2012-001, and Development Agreement No. DA2012-003.

VIII. STAFF AND COMMISSIONER ITEMS

ITEM NO. 4 MOTION FOR RECONSIDERATION

ITEM NO. 5 COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

ITEM NO. 6 ANNOUNCEMENTS ON MATTERS THAT THE PLANNING COMMISSION MEMBERS WOULD LIKE PLACED ON A FUTURE AGENDA FOR DISCUSSION, ACTION, OR REPORT.

ITEM NO. 7 REQUESTS FOR EXCUSED ABSENCES

IX. ADJOURNMENT